

JURY REFUSES TO INDICT SIPP

Dismisses Case After Whitman Presents Evidence Got by Police.

EVIDENCE DOESN'T FIT

Two Women Say They Didn't See Affidavits Before Signing.

NEW FEATURE IN INQUIRY

Committee Hears of Deals Between Police and Lawyers to Drop Cases.

The police evidence against George A. Sipp, former proprietor of the Baltic Hotel at 123d street and Lexington avenue, who testified before the Curran committee that he had paid for police protection for years, was presented to a Grand Jury yesterday.

The Grand Jury did not act and the rumor about the Criminal Courts Building was that after examination of the evidence the case was thrown out with little ceremony.

District Attorney Whitman presented all the evidence which the police obtained and asked them if they had anything further to suggest. No additional evidence was brought forth. The question is held open in the Grand Jury, however, so that the police may have every chance to support the charge on which Sipp was arrested and on which he is held in Atlantic City.

Detective Grossman of Inspector Dennis Sweeney's staff, who obtained affidavits as a witness yesterday, it is probable that Lieut. O'Connor, who was present when the affidavits were signed, will be called as a witness within a day or two, and that John Milhouser, a stableman, will also be called. It is said that Lieut. O'Connor called on Milhouser in connection with the search for corroboration of a story against Sipp.

Commissioner Dougherty has asked the District Attorney that steps be taken for a requisition for Sipp. But the refusal of the Grand Jury to take action against Sipp has halted anything the District Attorney might do in that direction.

There were three witnesses before the Grand Jury. These were Detective Grossman, Martha Miller and Georgiana Reisinger. The two women had made the affidavits on which the warrant for Sipp's arrest was based. These witnesses, together with the affidavits signed by the two women, comprised the case which the police had prepared.

Martha Miller had made two affidavits, the first on December 21, 1912, in the Madison Home, where she is now an inmate, the second before Chief Magistrate McAdoo on January 4. The second paper was in corroboration of Georgiana Reisinger's affidavit.

Martha Miller told the District Attorney in her examination before him that she is 32 years old and has been engaged in an illicit pursuit for eighteen years. She said that she had been in the workhouse eleven different times.

Georgiana Reisinger has told the District Attorney that she is 25 years old, that she has been engaged in the same occupation as that acknowledged by Martha Miller for eight years. She said in her preliminary examination that she was taken to the station house, where she gave her statement before Inspector Sweeney and a sergeant, and that later she made an affidavit before Commissioner Dougherty.

The evidence against Sipp mentioned two alleged incidents, one in July, 1909, and the second in December, 1912. Martha Miller has said that she talked with the detectives first on December 21. That was a week before an affidavit which she was to sign was taken to her.

The affidavits made by the two women did not fit together any too well. The statements made by the two women before the District Attorney were contradictory in many details, according to those who heard them. The statements made by Detective Grossman and the women are not altogether in harmony.

The two women were questioned about discrepancies between their stories and their affidavits before they went to the Grand Jury. They explained that they had not read the affidavits which they signed, but that these papers had been taken to them by a man whom they knew to be a policeman. They signed them without asking any questions.

Edward J. Newell, attorney for Sipp, has been in communication with a representative of the District Attorney's office, and although there has been talk of the hotel man's returning to the jurisdiction of New York there has been no promise or arrangement to this effect.

The District Attorney's office noted rumors which allege that young girls could be found to give testimony against Sipp, but the investigators have not found any of them and the police have presented no such evidence upon which the District Attorney could act.

The Monument Hotel, at 123d street and Eighth avenue, which Georgiana Reisinger named as the place of the second offense alleged in the affidavits, came to the knowledge of the police in December, 1909, when a man from up State complained that he had been robbed there. Its license was revoked last September through the activity of the State Excise Department, but a new license has been obtained under the name of Jerome Callahan.

The Curran committee listened yesterday to a new lot of evidence regarding alleged connections between policemen and lawyers in getting criminal charges dismissed if the prisoners or their friends can get enough money to arrange matters.

Edward B. Buckner, counsel for the committee, who presented the evidence, and J. Robert Rubin, an Assistant District Attorney, who helped in gathering

it, made a point before the committee that it makes a difference whether the lawyer is acceptable to the prisoner's captors or not.

The first witness was Eaburn R. McKimney, a real estate man and contractor of Waterbury, Conn. McKimney and succeeding witnesses said that in March, 1912, members of Becker's strong arm squad, raided the house of Billy Hawes at 48 West 135th street and arrested several prisoners. One of the prisoners, Washington Rogers, had come to New York to sell an automobile which McKimney had.

Benjamin W. Smith, a negro clerk employed by John C. Weston, a white lawyer then of 42 Broadway, McKimney said, recommended Weston. McKimney testified that Smith told him Weston was employed to defend all the prisoners in the raid and that Rogers's case could be "fixed up." McKimney saw Weston in the Harlem court, he testified.

It would cost \$250, \$500 for Weston, McKimney said, and McKimney quoted Weston yesterday, for Becker's strong arm squad. McKimney went back to Waterbury at Rogers's request and got the money from Rogers's bank, gave it to Rogers and says he saw Rogers give it to Weston.

When the case came up in the Magistrate's court, McKimney said, Rogers was so scared he couldn't talk and made a bad witness for himself. The prisoner was held for the Grand Jury and the \$200 was finally returned, McKimney testified.

Mr. Buckner read into the record an affidavit by Benjamin W. Smith, who is now serving a term in Sing Sing for bigamy. In his affidavit Smith said that he had worked for Weston on a 50 per cent. commission basis for whatever cases they had together. With regard to William Hawes's gambling house at 48 West 135th street Smith said:

"Jimmy Wren, the warden for the inspector in that district, arranged for protection money with Hawes. It was \$150 a month. When was transferred up to The Bronx and Eugene Fox took his place, Fox was there about a year and doing the collecting all over the district. Officer Lafferty succeeded Fox as collector. The inspector got two stool pigeons in Billy Hawes's place and made two arrests."

Telling of the second raid on Hawes's place, in which Rogers was arrested, Smith says in his affidavit that he and Weston met Policeman White at court.

"White said if we were ready to do business he would keep the cool going away from the affidavit," continues, "and that he had him right then on the corner of Third avenue. We told him we were ready and as soon as the case was opened we would give him \$20. White went into court and told the judge the complainant had gone into a vaudeville team and had gone on the road."

With regard to the incident in the Criminal Courts Building Smith in his affidavit says:

"Weston told me that he met the defendant and his friend McKimney and Lawyer Sneed, who demanded the \$200 back, as they could do business cheaper. So Weston gave them \$125 in cash and a check for \$75, and told them to meet him at the Criminal Courts Building and we would cash the check. Weston told me to hurry to Police Headquarters and tell Becker all about it and to tell him that the defendant was going to frame his man up and they should not do business with him, but they should turn the trick on him and lock him up when he offered the money."

Smith's affidavit, all of which was read into the record yesterday, involves other policemen.

John C. Weston signed a waiver of immunity and gave his version of the story. He denied all connection of the police with the transactions, and said that the money he got from the prisoner and his friend was for his own fees and for procuring a bondsman. He said that Smith was a clerk in his employ.

Policeman Arthur Carmack, who is now out of the Detective Bureau and is doing patrol duty in uniform, was called, but refused to waive immunity and was not permitted to testify.

The Curran committee's hearings will be continued at 2 o'clock this afternoon.

SIPP ADMITTED TO BAIL.

Hotel Man May Be Freed and Go to Hospital To-day.

ATLANTIC CITY, Jan. 7.—Edward H. Newell, George A. Sipp's lawyer, to-day continued his efforts to get bail for his client. Magistrate Joshua Jagmetty refused to accept bail until Newell got a written opinion from County Judge E. A. Tamm, which the magistrate had the right and that it was his duty to accept bail.

The magistrate fixed bail at \$10,000. This amount the magistrate later reduced to \$6,000. It is expected that the surety will be offered this morning and that Sipp will be released to-day.

Mrs. Sipp came here to-day and telegraphed her husband's physician, Dr. William H. Upton, asking him to come and examine Sipp. It was reported to-night that it may be necessary for Sipp to go into a hospital at once for the operation. Assistant District Attorney Groehl is expected in Atlantic City tomorrow morning to interview Sipp.

FUNDING COMPANY BANKRUPT.

Leaves Nothing to Chance, Says Prosecutor, but It Can't Pay Rent.

A petition in bankruptcy was filed yesterday against the Funding Company of America of the Lord's Court Building, 27 William street, on a claim of \$1,000 rent for the company's elaborate offices.

The company, which was organized in 1905 on a claim for professional services of Allen M. McLaughlin, a bill of \$48 of the Royal Ribbon Carbon Company for merchandise. The company has been running since January, 1910, and a few months after it started THE SUN drew attention to the letters sent out by agents of the company in an effort to sell stock.

It is alleged that the bankrupted company admitted its inability to pay its debts and its willingness to be adjudged bankrupt. Charles W. Littlefield as receiver on a bond of \$1,000, with permission to continue the business for twenty days. The assets include the furniture valued at \$1,000, \$93,000 in capital stock of the Hudson Yacht and Boat Company of Nyack, against which a bankruptcy petition was filed on January 3, \$200,000 capital stock of the Peabody Granite and Concrete Company and bonds of the same company having a face value of \$1,000. The total actual value of the assets is stated to be only \$2,000.

EXPERTS DELVING INTO STATE BOOKS

Sulzer's Inquiry Expected to Bear Economic Fruit in Sixty Days.

ADJUTANT-GENERAL NEXT

Departments Ordered to Submit Lists of All Employees and Salaries.

ALBANY, Jan. 7.—Expert accountants will be detailed by the Sulzer committee of inquiry to go into every State department to learn the mode of financial transactions, according to Chairman John N. Carlisle.

This financial investigation will be completed within sixty days. The committee is engaged in mapping out the work with a view of ascertaining just where alleged exorbitant expenditures are made.

After completing the investigation of the executive offices to-day the committee made preparations for a probe of the Adjutant-General's office.

Charges have been made to Gov. Sulzer that the Adjutant-General's office had been mismanaged and the probe will cover every detail of past management. Gov. Sulzer expects that the inquiry here will uncover something about the removal of Major-General O'Bryan, Adj.-Gen. Hamilton will be the first witness on the stand at the public hearing to be held to-morrow.

Certificates have been distributed to the State departments calling for the number of employees in each office, the salaries paid and the date of increases in salaries, dating back as far as 1903, with instructions to file the information with the committee as soon as possible.

Gov. Sulzer and the committee have been informed that in the past ten years the expenses of conducting the affairs of State have increased slightly less than 100 per cent. The Governor has given explicit instructions to ascertain how and why the expenses have been so increased.

Retrenchment in all quarters will be recommended by the Governor as soon as he gets the report of the committee.

The State automobile tax, which amounts to more than \$1,000,000, costs about \$200,000 to collect, according to Chairman Carlisle, who to-day received a report from one of the accountants in the State automobile bureau. He attributed this expense to the employment of a large and inefficient force. The committee will recommend to Gov. Sulzer that the law relating to the collection of the automobile tax be changed so as to make several dates of payment.

Chairman Carlisle said to-night that a special law would be necessary to empower the committee to probe the New York City Police Department. He thinks that the committee will have its hands full for several months.

Complete reorganization of the executive offices is favored by Gov. Sulzer. He said to-day when he was the first witness before the committee of inquiry.

"It is my opinion," said Gov. Sulzer, "that the office force of the Governor's office should be reorganized along lines of greater economy and efficiency. This cannot be done, however, because all the employees in the Executive Chamber are under the civil service with the exception of the secretary to the Governor, the military secretary and counsel."

"If the force is reorganized I feel confident that a saving of 10 per cent. can be made without crippling or impairing the efficiency of the force in any way, and I believe better results can be obtained by such a reorganization."

"I am anxious to practise every economy and will be glad to have the members of the committee look into the personnel of the executive department carefully with a view to making such changes as are desirable to accomplish the best results."

The committee adopted a resolution calling on the State Comptroller to initiate several of his examiners to investigate the accounts on maintenance and repair of the State Highway Department and submit a report telling of the manner in which this appropriation was expended.

The committee will hold a public hearing to-morrow afternoon in the rooms of the Public Service Commission, at which the probe of the various departments will be taken up.

Gov. Sulzer said to-day that the papers relating to the case of Major-General O'Bryan, which it was said yesterday that the Governor had taken from the Executive Chamber by Commander E. J. DeKay, with the consent of Gov. Sulzer's military secretary, Major Schermerhorn.

Mr. Schermerhorn said that several days before the first of the year he saw the papers in the Executive Chamber and wanted to know that he was allowed to look them over. "Commander DeKay said he would be all right and declared he would leave them for the new secretary, according to Major Schermerhorn. A few days ago the commander walked into the chamber and asked for the papers, saying they were his own private papers. Mr. Schermerhorn let him take them away."

Chairman Carlisle of the committee said that if the papers were not returned it is probable that a subpoena will be issued for Commander DeKay.

Gov. Sulzer had a letter to-day from Duncan W. Peck, State Superintendent of Public Works, requesting that his department be one of the first to be subjected to inquiry. Mr. Peck said later that he was ready for a thorough investigation.

SPARKS FROM THE TELEGRAPH.

Anthony Hunt, the wealthy Chicago lander, gardener and clubman who was arrested at the White House Sunday night because he persisted in efforts to see the President to obtain an appointment as Ambassador to Great Britain, was turned to his home in Chicago last night. He will be sent to an asylum for the insane.

Frank C. Winchell of North Brookfield, Mass., former president of the Oxford Linen Company, accused of misuse of the mails in connection with the Sterling Debiture Company, having furnished bail in the Federal court in New York and pleaded to the indictment, Commissioner Hayes yesterday ordered the complaint dismissed.

John E. Humphries, Washington, D. C., bank employee, was indicted for embezzlement and forgery by the Grand Jury of which his father was foreman. The father signed the indictment for the Grand Jury. John E. Humphries, who is serving a life sentence in Alabama for the murder of Felix J. Ellard, is said to have made a confession admitting knowledge of twenty-one murders in Bloody Beat, Jefferson county.

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WILSON GIVES A DAY TO JERSEY POLITICS

Takes a Hand in Behalf of Grosscup in Treasurer-ship Fight.

TRENTON, N. J., Jan. 7.—Gov. Wilson to-day put aside consideration of problems that await him as President-elect and went into the fight to elect a State Treasurer who will meet his idea of what that official should be. When the day's work was over he said he felt confident of the result.

The Governor's telegram to the State Senators and Assemblymen that they meet him to learn his views on the State Treasurer contest brought an unusual number here. No one tried to argue the matter with him, but every one went away with no doubt as to what the attitude of the Governor was.

State Comptroller Edward L. Edwards, who is a candidate against State Democratic Chairman Edward E. Grosscup for the State Treasurer, spent much of the day in going from one group of legislators to another asking for their support. There were representatives of James Smith, Jr., of Newark on the ground campaigning for Mr. Edwards.

Mr. Wilson's attitude toward the contest was made plain by the Governor's own statement. He said that the outlook was favorable for the election of Mr. Grosscup.

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MAYOR STRIKES BACK AT SOME PREACHERS

Six "Noisy Ones," He Says, and Calls Two of Them by Name.

TALKS OF VICE PROBLEM

Tells Lutheran Conference the Law Has Left It to Clergy and Moral Forces.

MAYOR GAYNOR went to St. Matthew's Church, Broome and Elizabeth streets, yesterday to speak at a conference of Lutheran clergymen. The Mayor said that he believed the payment of corruption money to the police was now at a minimum, that nobody was paying in the liquor trade and that he trusted there were few gambling houses or other illicit resorts paying graft money. He had a good deal to say about the difficulty of suppressing vice and declared again that New York is relatively a clean city.

The Mayor began his speech with a reference to Dr. Parkhurst, Rabbi Wise and other clergymen who have attacked him. He said in part:

"I have a very wide acquaintance with clergymen in the city. I think as wide as any layman. I know pretty much all the clergymen over in Brooklyn. We only have three noisy ones over there, so far as I remember. And over here we have about about three more. So this furious noise is all made, as far as I can make out, by about five Christian clergymen and one who says he is a Jewish rabbi, but the matter is in dispute."

Some talk at random through lack of mental balance, and to those who have to be charitable. Some again are naturally of an overbearing and to some extent vicious nature. We have to be charitable to those who seem to have a maxim, "With charity toward nobody and malice toward everybody," just reversing Lincoln's great maxim of "Charity toward all and malice toward none." But I find that there is always something the matter with people like them and I treat them kindly and ask everybody else to do the same."

Some times too a clergyman may be speaking to empty benches until he gets tired of it and then he thinks by abusing the Mayor he will get people to come and listen to him. I have to remember all these things. The clergymen of the city as a body are equal to the clergymen as a body anywhere in the world."

The Mayor went on:

"With the mere matter of vice the government of the city and of the State has nothing to do at all. Some of these people think that every vicious thing should be stopped in the city forthwith by the authorities that is to say, by the police. The police must have a license to go around if we want attacking vice. If we had to follow that all through the city you would need 100,000 police just for one thing. But it is not a crime in law. That the law has to leave to the clergymen and to the moral forces. It leaves it to them to incline the people to some of the better things."

But I really think Rabbi Wise believes there is a law in the State against it. I do not know, anyway, why his head is so full of this vice. Normal people have not got their heads so full of such things. Neither are they speaking around and watching their neighbors to see where they go and what they do."

Our punishment of a law which cannot be enforced is the drinking on Sunday. Now it is an easy thing to say to the Mayor and the Police Commissioner that they should not allow a man in the city to have a drink on Sunday. It is awfully easy to say it, and it is awfully easy to pass a law to that effect too, but to enforce it is another thing. There are about as many hotels or drinking places in the city as there are policemen. If we station one policeman in every hotel to poke people with their clubs and to say "You cannot go here on Sunday, assuming that we had such a right, it would take all the police we had to do that service alone on Sunday, and meanwhile the bartender and the burglar and the thief and all the rest of the criminals would have a splendid day of it every Sunday to do what they saw fit."

If these ministers would convince their congregations that it is not a crime in the State to drink on Sunday, they would do that much, wouldn't they? I doubt if Rabbi Wise has succeeded in that in his own church, let alone saying that I ought to succeed in the city. And that clergyman over in Brooklyn the other day who said that Brooklyn was the veritable hell, I think, because he thought there was some drinking over there. Why, Brooklyn is noted all over the world as having less crime than any other city of equal population in the world. And yet it seems it is the veritable hell in the eyes of the man and that clergyman over in Brooklyn who said that he had not cleaned out the veritable hell."

The unfortunate woman was seen to some extent in the streets. We do all we can to keep the streets clean and to make it so that I began to do as soon as I became Mayor—not to treat her brutally, but to make her know that she must keep off the streets. A large number of them are arrested each year. I think one of the Magistrate told me the other day about 4,000 of them were arrested in that way and sent to reformatories and treated with every kindness to reform and succeed. I did not ask him whether any of those six men had helped to rescue any of them. I knew that they had not. It is not in my power. The rescue and the helping come from the body of the clergymen of the city, like you who are the regulars."

Speaking of Commissioner Waldo the Mayor said:

"He has done splendid work in the Police Department. He is an absolutely honest, intelligent man and absolutely honest. Some say to me, even men of intelligence, 'Well, now, that is all very well, but it takes a crook to catch a crook.' If you want another crook or another Deputy because it takes a crook to catch a crook—it disgusts me to hear such people talk."

BOYS' CUPIDITY BETRAYS THEM.

\$3,000 Ring Robbery Solved When They Count Big Roll in Street.

Two fifteen-year-old boys admitted to Justice Hoyt in the Children's Court yesterday that they had stolen three diamond rings, valued at \$3,000, from Mrs. Shil Eden, who has an apartment at 330 West Fifty-seventh street. The boys are Archie Stevenson of 403 West Forty-eighth street and Michael Hennessy of 407 West Fifty-third street.

They said they sold the rings to a man named Charles Kuhner, who lives at 127 West Sixtieth street. Kuhner was arrested, charged with receiving stolen goods, and held in \$1,000 bail for examination to-day when arraigned before Magistrate Krotel in the West Side court.

On Monday afternoon after Mrs. Eden had reported the loss to the police Detective Burgess and Fitzpatrick saw two boys come out of the American Theatre. One of them took out a large roll of bills from his pocket and began counting the money.

The boys were remanded to the care of the Children's society and will appear as material witnesses against Kuhner to-day.

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DOZEN MEN DANCE AMID 2,000 GIRLS

Twelve Heroes at Vacation Savings Fund Dinner Worn to a "Frazzle."

DO THEIR BEST BUT—

Miss Anne Morgan Manages Party and Bars Out the Turkey Trot.

Miss Anne Morgan, treasurer of the Spugs and the members of the executive committee of the Savings Fund, Gertrude Robinson-Smith, Miss Marybury, the playmaker, Josephine Daskam Bacon, and Evelyn Smith, all officers of one or the other of the societies, sat right down with the girls, and this is what they, as well as everybody else, ate.

The affair last night was the monthly frolic and business session of the Vacation Fund. It was preceded by a dinner, which was not, however, such in the ordinary sense of the word. In the first place it cost only 25 cents, and furthermore it was held in the restaurant of the Metropolitan Building, which is not one of the well known dining places in the city.

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